

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>10/5/11</u>

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In re CURRENCY CONVERSION FEE	:	MDL Docket No. 1409
ANTITRUST LITIGATION	:	
	:	M 21-95
	:	
	:	ORDER APPROVING DISTRIBUTION OF
	:	THE NET SETTLEMENT FUND
_____	:	
This Document Relates To:	:	
	:	
ALL ACTIONS.	:	
_____	X	

WILLIAM H. PAULEY III, District Judge:

This Court having reviewed Plaintiffs' Motion to Approve the Distribution of the Net Settlement Fund in Accordance with the Affidavit of Edward J. Radetich, Jr., C.P.A. Regarding Claims Administration ("Radetich Affidavit") dated September 14, 2011 (ECF No. 898), the Radetich Affidavit, and all supporting exhibits submitted with respect thereto, it is ORDERED that Plaintiffs' motion is GRANTED.

IT IS HEREBY FURTHER ORDERED as follows:

1. The Court approves the proposed allocation of the "net settlement fund" in accordance with the Court-approved Revised Plan of Administration and Distribution (ECF No. 528, Ex. 8), as set forth by the Claims Administrator (Heffler, Radetich & Saitta LLP) in the Radetich Affidavit. The net settlement fund (approximately \$275,600,000.00) consists of all funds remaining after payment of the October 22, 2009 (ECF No. 755) awards to the named Plaintiffs (\$83,500.00), and awards of attorneys' fees (\$51,250,000.00), plus the awarded interest of \$47,325.89 (capped as of June 30, 2011) and expenses (\$3,708,072.00), and the costs associated with distributing the refund checks (\$4,981,582.11).

2. The Court finds that the Claims Administrator's methodology for calculating the pro-rata distributions, as set forth in the Radetich Affidavit, complies with: (a) the Court's October 22, 2009 Memorandum and Order granting final approval of the settlement (ECF No. 755); and (b) the requirements of due process, with all claimants having had a full and fair opportunity to present their claims and to be heard in connection with the processing and auditing thereof.


3. Accordingly, the Court authorizes payment of all valid claims from the monies remaining in the net settlement fund for disbursement to the valid claimants, as set forth in the Radetich Affidavit and accompanying exhibits.

4. Plaintiffs' Co-Lead Counsel are hereby authorized to distribute the net settlement fund in accordance with this Order and the findings, conclusions and determinations set forth in the Radetich Affidavit.

5. Without affecting the finality of the Final Judgment and Order of Dismissal (ECF No. 763) or this Order in any respect, this Court reserves jurisdiction over any matters related to or ancillary to this Order.

Dated: October 5, 2011
New York, New York

SO ORDERED:


William H. Pauley, III
U.S.D.J.

All Counsel of Record